

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:11-CR-48-1-BO

UNITED STATES OF AMERICA)
v.)
COURTNEY BASNIGHT)

ORDER

This cause comes before the Court on a letter from defendant, Courtney Basnight, seeking the Court's review of his case for harmless and plain error, alleging that an Assistant United States Attorney involved in his case has been disbarred. [DE 81].

The government has responded to defendant's letter. [DE 86]. The Court agrees that the relief which defendant seeks is that which would result from a successful motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Thus, the Court hereby NOTIFIES defendant of its intent to construe his letter as a motion pursuant to 28 U.S.C. § 2255. *Castro v. United States*, 540 U.S. 375, 377 (2003). The Court further WARNS defendant of the effects of filing a motion pursuant to § 2255, including the restrictions on filing second or successive § 2255 motions, and advises him as to the requirements of § 2255.

If defendant does not wish his letter to be construed as a motion pursuant to 28 U.S.C. § 2255, he must so notify the Court and withdraw or sufficiently amend his letter within thirty (30) days of the date of entry of this order.

SO ORDERED, this 19 day of September, 2017.

Terrence Boyle
TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE